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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 6th meeting
Held at Headquarters, New York, on Monday, 13 June 2005, at 10 a.m.

Chairman: Mr. Hunte ..... (Saint Lucia)
later: Mr. Okio (Vice-Chairman). ..... (Côte d'Ivoire)
later: Mr. Hunte ..... (Saint Lucia)

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05-38201 (E)

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Requests for hearing (Aides-memoires 11/05/Add.2 and 15/05)

2. **The Chairman** drew attention to the requests for hearing contained in aides-memoires 11/05/Add.2. He would take it that the Committee wished to approve those requests.

3. *It was so decided.*

4. **The Chairman** said that he had received a request from the representative of the Premier of Bermuda regarding reimbursement of expenses related to the participation of Ms. Diana Kempe, a member of the Bermuda Independence Commission, in the work of the Special Committee in June 2005 (aide-memoire 15/05). He would take it that the Committee approved the request, with due regard to the provisions of the guidelines.

5. *It was so decided.*

Special Committee decision of 14 June 2004 concerning Puerto Rico (A/AC.109/2005/L.3 and L.7)

Hearing of Petitioners

6. *At the invitation of the Chairman, Mr. Farinacci Garcia (Frente Socialista) took a place at the petitioners' table.*

7. **Mr. Farinacci Garcia** (Frente Socialista) said that his organization supported the draft resolution on the status of Puerto Rico submitted by the delegations of Cuba and Venezuela, and urged its adoption.

8. *Mr. Farinacci Garcia withdrew.*

9. *At the invitation of the Chairman, Mr. Fontanet Maldonado (Colegio de Abogados de Puerto Rico) took a place at the petitioners' table.*

10. **Mr. Fontanet Maldonado** (Colegio de Abogados de Puerto Rico) said that, in keeping with the Second International Decade for the Eradication of Colonialism, special attention should be given to the situation of Puerto Rico, which had remained a colony of the United States of America since 1898. None of the many efforts undertaken, since the adoption of its Constitution in 1952, to clarify the political status of Puerto Rico had been successful. It was clear that the United States had no real interest in dealing with the colonial status of Puerto Rico.

11. The colonial relationship between the United States and Puerto Rico was demonstrated in a number of ways. First, although the death penalty was prohibited by the Constitution of Puerto Rico, the United States Government had sought to impose it for a number of crimes committed in Puerto Rican territory. Secondly, four Puerto Rican political prisoners were serving sentences, in United States jails, that were out of proportion to their offences. Thirdly, the economic development of the colony had been affected, limiting its future as a competitor in globalized markets, despite its excellent production and other resources. Fourthly, the United States military had had bases and had conducted training exercises in Puerto Rican territory, thereby demonstrating the latter's colonial status. While almost all military operations had ceased, the United States had yet to fulfil its commitments regarding rehabilitation and environmental cleanup, especially for Culebra and Vieques Islands. Finally, Puerto Rican youth were being forced to participate in the wars of the United States largely because they had few other choices for employment.

12. It was generally agreed that the current situation was unacceptable; the only disagreement was over the mechanism to be selected to implement the alternatives. Any such mechanism must be consistent with General Assembly resolution 1514 (XV), which required that action begin in Puerto Rico.

13. His organization took the position that a constitutional assembly on status was the direct mechanism through which the people would express their will. If they should so decide, Puerto Rico would no longer be covered by the Territorial Clause of the United States Constitution. The majority of civil society favoured the convening of a constitutional assembly, and Members of all three political parties had submitted a resolution to the Legislative Assembly urging such action.

14. He urged the Special Committee to recommend that the question of Puerto Rico be referred to the General Assembly and to stress that a constitutional assembly on status was the appropriate mechanism to bring about Puerto Rico's decolonization. It should

also recommend that a United Nations mission should visit the country.

15. *Mr. Fontanet Maldonado withdrew.*

16. At the invitation of the Chairman, Mr. Martín-García (Partido Independentista Puertorriqueño) took a place at the petitioners' table.

17. **Mr. Martín-García** (Partido Independentista Puertorriqueño) said that he supported without reservation the draft resolution introduced by the representatives of Cuba and Venezuela. Although the past two Committee resolutions had been optimistic that a constitutional assembly on status could put in motion a process of decolonization, the Government party in Puerto Rico was still maintaining that Puerto Rico was not a colony; an Assembly would thus be a process of selecting between alternatives that would legitimize Puerto Rico's current political subordination.

18. It was ironic that, during the Second United Nations Decade for the Eradication of Colonialism, members of the colonial governor's political party would appear before the Decolonization Committee to promote the continuation of colonization as an option to be presented to the Constitutional Assembly. It was too late: the prohibition of colonialism had become an essential norm of international law to which — as for slavery — there could be no exceptions.

19. A few months earlier the three political parties in Puerto Rico, after arduous and complex negotiations, had achieved an historic agreement in the form of a draft consensus proposing that a referendum be held on the proposition demanding that the Congress and President of the United States should resolve the question of the political status of Puerto Rico before 31 December 2006, on the basis of fully democratic, non-colonial and non-territorial options. The draft consensus had been unanimously adopted by the legislature. Regrettably, however, the colonial governor had gone back on his word and had vetoed the measure, warning of dire consequences should the referendum take place. Those actions illustrated the powerful forces and interests maintaining colonialism in Puerto Rico.

20. *Mr. Martin García withdrew.*

21. *At the invitation of the Chairman, Mr. Lozada (American Association of Jurists) took a place at the petitioners' table.*

22. **Mr. Lozada** (American Association of Jurists) said that his country had "self-government", but without any basic powers: without authority to conduct trade with other countries, control its borders or communications media, decide on the use of its natural resources or the life and death of its youth, who participated in foreign wars imposed by the United States Government.

23. The so-called "Commonwealth" of Puerto Rico, which supposedly was based on an agreement between the United States and Puerto Rico, had achieved none of the steps towards greater autonomy and authority proposed during its 50 years of existence. It had long struggled to get the United States military to relinquish some of the best land and coastlines, which had been used for bases and firing ranges, and it continued to struggle to get them to meet their commitments to clean up the toxic wastes left behind on those sites. Currently, the United States federal courts were attempting to re-establish the death penalty on Puerto Rican soil, even though it violated the Constitution of Puerto Rico.

24. No one currently denied its colonial status. The Puerto Rican people had used every available means, from armed struggle to political action, to achieve independence, and the United States had done everything in its power to prevent it. The matter was of international importance and, under the Charter of the United Nations, should be brought before the General Assembly.

25. *Mr. Lozada withdrew.*

26. *At the invitation of the Chairman, Father Barrios (Iglesia San Romero de Las Americas) took a place at the petitioners' table.*

27. **Father Barrios** (Iglesia San Romero de Las Americas) said that he was appearing before the Committee to accuse the United States of America of the sin of colonialism, which could be described as political terrorism designed to eliminate the national identity, culture and language of the Puerto Rican people and to foster their economic, political and psychological dependence. Since the military occupation had begun in 1898, colonialism had fostered economic dependence and exploitation of the island's resources. Currently, about 70 per cent of the net income generated in Puerto Rico left the territory, which led to high levels of poverty.

28. Puerto Rico was the largest colony of the most powerful empire in the world; the United States would stop at nothing to maintain its hold on the territory and had managed to convince the Puerto Rican people that the results would be disastrous if the United States left. People's minds needed to be decolonized as well, to enable them to overcome their fear of freedom. What passed for elections in Puerto Rico should also be questioned. The so-called representative democracy usually presented candidates from two parties which were ideologically the same, and which both upheld colonialism.

29. He therefore called for Puerto Rico to be declared a colony of the United States of America; under international law, the United States should be required to withdraw from the territory and free all Puerto Rican political prisoners.

30. *Father Barrios withdrew.*

31. *At the invitation of the Chairman, Mr. Velgara (Vieques Support Campaign) took a place at the petitioners' table.*

32. **Mr. Velgara** (Vieques Support Campaign) said that, two years after the bombs had stopped falling on the people of Vieques, the United States Navy continued to do everything in its power to avoid cleaning up the contamination of the land; the military presence remained, as did their political influence. The lands had not been returned to the people of Vieques but were now under the control of the United States Fish and Wildlife Service. Prospects for sustainable development appeared farther away, as a massive corporate land grab accelerated daily. The international community must make known the just demands of the people of Vieques — demilitarization, decontamination, devolution of the land and development of a sustainable nature in the hands of the people. The Navy had declared that only a surface cleanup was needed because there would be no human presence in the areas studied, and no use of those lands would be allowed. The bombings had ceased, the firing range had been closed, yet still the civilian population continued to live in a vast death trap.

33. In a world of pre-emptive military strikes as the preferred method to achieve regime change, and under the cloak of the war against terrorism, the dire situation in Vieques was being systematically ignored by the colonizing Power. General Assembly resolution 1514 (XV) and international law clearly called for the withdrawal of military forces of occupation, freedom for all political prisoners and a return of economic, political and cultural sovereignty prior to any genuine constituent assembly. Plebiscites, referendums and even constitutional assemblies on status which were subject to the approval of the colonizing Power would never resolve the colonial reality.

34. There was also a fifth "D" that must be made a reality: decolonization. The inalienable right to self-determination was a matter of survival, and all members of the world community had the right to live in peace with justice, political freedom and economic equality and prosperity. The people of Vieques and Puerto Rico deserved nothing less.

35. *Mr. Velgara withdrew.*

36. *At the invitation of the Chairman, Mr. Ortiz Guzmán (Vieques Sí) took a place at the petitioners' table.*

37. **Mr. Ortiz Guzmán** (Vieques Sí) said that although two years had elapsed since the withdrawal of the United States Navy from Vieques, there was no evidence that the land would be returned to its rightful owners. Moreover, the United States seemed determined to evade its responsibility to decontaminate the land. Not only had the scientific studies ordered by the United States Navy been rejected by Puerto Rican scientists as inadequate and invalid, but the methodology proposed for the new study was also flawed. In addition, the United States Navy had begun the open burning and detonation of munitions. The United Nations should therefore reaffirm its support for the total decontamination of the land, the return of all land to the people of Vieques, an end to the open burning and detonation of munitions, the participation of international experts in the clean-up and the release of Puerto Rican political prisoners from United States jails.

38. *Mr. Ortiz Guzmán withdrew.*

39. *At the invitation of the Chairman, Ms. Albizu-Campos (Partido Nacionalista de Puerto Rico) took a place at the petitioners' table.*

40. **Ms. Albizu-Campos** (Partido Nacionalista de Puerto Rico) said that Puerto Rico was being exploited by multinational corporations based in the United States, whose administrative and judicial authorities placed their interests above those of local businesses. Moreover, the death penalty was imposed by the

colonial administration even though it was anathema to the people of Puerto Rico. Colonialist rule was responsible for the country's high rates of unemployment, poverty, infant mortality, alcoholism and a number of other major social problems. In Vieques, the United States continued to explode bombs and contaminate the local population and refused to return the land to its rightful owners. The people of Puerto Rico had the capacity and the will to resolve the country's problems, if only they could break free from the grip of colonialism. The power to make that happen lay in the hands of the Special Committee.

41. *Ms. Albizu-Campos withdrew.*

42. *Mr. Okio (Côte d'Ivoire), Vice-Chairman, took the Chair.*

43. *At the invitation of the Chairman, Mr. Torres (Comité pro rescate y desarrollo de Vieques) took a place at the petitioners' table.*

44. **Mr. Torres** (Comité pro rescate y desarrollo de Vieques) said that the actions of the United States Navy in Vieques had damaged the island's natural resources and caused irreparable harm to the health of the local people and to the social and economic development of the island. The peace sought by the people of the island required more than a halt to the bombing, it also required the return, development, decontamination and demilitarization of the land. His organization therefore was seeking compensation for all the harm done to the health of the people of Vieques as a result of the military presence on the island. Furthermore, all the land should be decontaminated and returned to the rightful owners; international observers should monitor scientific testing and clean-up procedures, and health facilities should be set up to treat those who had been made sick by the military activities.

45. *Mr. Torres withdrew.*

46. *At the invitation of the Chairman, Mr. Ramos Rosado (ProLibertad) took a place at the petitioners' table.*

47. **Mr. Ramos Rosado** (ProLibertad Freedom Campaign) said that Puerto Ricans were at the mercy of the United States Government's foreign and domestic policies, could not vote in presidential elections and were not represented in the United States Congress. They were denied the right to their own land and denied control of their own economic development. The excessive sentences handed down to the Puerto Rican political prisoners in United States jails stood in stark contrast to the preferential treatment given to right-wing and other groups accused of violent crimes.

48. The imprisonment of Puerto Rican political prisoners and prisoners of war was an international human rights violation. The acts of torture and repression carried out against the prisoners were in direct violation of international norms. It was ironic that a country like the United States, which had fought a colonial power for its own independence, should use colonial methods of repression against other peoples. The United States had used its exemption from the requirement to transmit to the Secretary-General information under Article 73 *e* of the Charter of the United Nations as a loophole for committing human rights violations in Puerto Rico and its territories.

49. He beseeched the United Nations to intercede and monitor the human rights and environmental violations perpetrated by the United States Government and to take immediate action to end the colonial system in Puerto Rico and ensure that the demands of the people of Vieques were met.

50. *Mr. Ramos Rosado withdrew.*

51. *At the invitation of the Chairman, Ms. Resto (Fellowship of Reconciliation) took a place at the petitioners' table.*

52. *Mr. Hunte (Saint Lucia), Chairman, resumed the Chair.*

53. **Ms. Resto** (Fellowship of Reconciliation) urged the Special Committee to stress the need for the United States of America to prepare for the full implementation of General Assembly resolution 1514 (XV) as well as the Special Committee's resolutions and decisions concerning the Puerto Rican people's right to self-determination.

54. Although the bombing of Vieques had ceased, working a victory for the people of that island, their human rights continued to be systematically violated for the United States of America continued to hold title to their land and had also defined the future permissible uses of such land in order to avoid its responsibility to clean up the environmental disaster it had created. Because of Puerto Rico's status as an "unincorporated territory", the only legal recourse available to the people of Vieques was to United States

agencies and courts. The United States had also failed to respect the human rights of the Puerto Ricans serving disproportionate sentences in United States jails for their actions to fight for their country's independence.

55. The application of the death penalty in Puerto Rico was an unacceptable manifestation of the United States' colonial rule over the island. She urged the Special Committee to take note of the aggressive recruitment of Puerto Ricans into the United States armed forces — another abhorrent form of colonial rule — to maintain its constant vigilance with regard to the situation in Puerto Rico and to place the issue of the toxic legacy of United States military activities in Vieques on its agenda, as a serious human rights and decolonization issue.

56. The United States of America should compensate all the people of Vieques for their exposure to military contamination, guarantee their participation in decisions about clean-up and future land use, remove all toxic wastes, contamination and unexploded munitions, return all expropriated lands to the people of Vieques, provide compensation for any irremediably contaminated land, halt the disposal of live ordnance through open burning and detonation, release Puerto Rican political prisoners, remove the Reserve Officers' Training Corps (ROTC) and other military recruitment activities from the island and stop applying the death penalty in Puerto Rico.

57. *Ms. Resto withdrew.*

58. *At the invitation of the Chairman, Mr. Koppel (Partido Socialista de los Trabajadores (Socialist Workers Party)) took a place at the petitioners' table.*

59. **Mr. Koppel** (Partido Socialista de los Trabajadores (Socialist Workers Party)) called for the release of Carlos Alberto Torres, Haydee Beltrán and Oscar López Rivera, independence fighters who had been imprisoned in the United States for a quarter of a century, and of José Perez González and José Velez Acosta, who remained in jail for opposing the United States presence in Vieques. He also called for the release of five Cuban revolutionaries who had been wrongly charged with espionage and whose only "crime" had been gathering information on extreme right-wing Cuban-American groups with long histories of violent attacks against Cuba.

60. He condemned the continued use of Puerto Rican territory by the United States to launch attacks against other countries, and the recruitment of young Puerto Ricans for the purpose of conducting imperialist wars. The colonial domination of Puerto Rico reinforced the systematic discrimination and racial prejudice against the 2.7 million Puerto Ricans living in the United States. As long as Puerto Rico remained a colony, Puerto Ricans would be second class citizens in the United States.

61. He urged the Committee to condemn Washington's colonial rule over Puerto Rico, noting that by so doing it would serve the interests of all peoples who were struggling for the right to self-determination.

62. *Mr. Koppel withdrew.*

63. *At the invitation of the Chairman, Ms. Pecunia (Juventud de Izquierda Revolucionaria) took a place at the petitioners' table.*

64. **Ms. Pecunia** (Juventud de Izquierda Revolucionaria) condemned the continued violation of human rights and subjugation of the Puerto Rican people and asserted the right of Puerto Rico to independence. That right had been usurped and Puerto Rico had been partially annexed through military invasion and occupation, in contravention of international law. Without the immediate return of sovereignty to the people of Puerto Rico, no referendum, plebiscite or constituent assembly could legitimately constitute a process of self-determination.

65. The annexation of Puerto Rico had affected all aspects of daily life but had not succeeded in suppressing national resistance to it. Various social movements, including unions, students, local communities and environmental, cultural and other groups, were united in a common struggle, involving, inter alia, support for public education, defence against the encroachment on community rights by developers, environmental protection and opposition to the death penalty.

66. The presence on Puerto Rican university campuses of United States military and naval forces and of the FBI and ROTC thwarted the country's sovereignty. Furthermore, young Puerto Ricans were being used to support an illegal occupation and massacre in Iraq.

67. Promoting decolonization was the responsibility of all of humanity. Puerto Ricans were doing their part to achieve full independence. The Committee must assume its share of responsibility.

68. *Ms. Pecunia withdrew.*

69. *At the invitation of the Chairman, Ms. Brassell (United for Vieques, Puerto Rico, Inc.) took a place at the petitioners' table.*

70. **Ms. Brassell** (United for Vieques, Puerto Rico, Inc.) said that her organization sought to inform civil society about the health hazards and ecological and economic destruction caused by the activities of the United States Navy on Vieques and to inspire the public to protect their communities.

71. She continued to support the following demands of the people of Vieques: all live bomb detonations must cease immediately; the land and water must be cleaned; every inch of land on Vieques must be given back to the people of Puerto Rico; and the people must be allowed to fulfil their vision for the development of a free Vieques, without interference from the United States Navy, Fish and Wildlife Service, real estate speculators and greedy developers. Attempts to assimilate and Americanize the people of Vieques must cease. The right of the people of the island to speak Spanish and to have their own culture was non-negotiable.

72. The United States Navy still maintained a relocatable over-the-horizon radar station on Vieques, which was so powerful that, by the United States Navy's own admission, it could alter the weather. Furthermore, the Navy had turned jurisdiction over the land to the United States Fish and Wildlife Service to relieve the Navy of any responsibility for cleaning up the land. The Navy also continued to detonate live bombs, which contaminated the environment with lead, depleted uranium, Agent Orange, napalm and other toxic substances, and threatened the health and safety of the inhabitants of Vieques.

73. Funds must be provided to promote sustainable development on the island. The Navy presence had devastated the economy and the livelihoods of the people. More efforts were needed to make Vieques a priority among United States federal clean-up programmes. The military — which the United States Government itself ranked as the nation's biggest polluter — must meet its existing legal obligations to decontaminate the land and return it to the people of Vieques so that they might truly live in peace.

74. *Ms. Brassell withdrew.*

75. *At the invitation of the Chairman, Mr. Villanueva Muñoz (Comité de Derechos Humanos de Puerto Rico) took a seat at the petitioners' table.*

76. **Mr. Villanueva Muñoz** (Comité de Derechos Humanos de Puerto Rico) said that he was speaking on behalf of Carlos Alberto Torres, Haydee Beltrán, Oscar López Rivera and José Pérez who were serving time in United States federal prisons for their struggle for the cause of Vieques. Three of them had been sentenced to prison terms that exceeded the penalties normally handed down to robbers, rapists, kidnappers and other common criminals. The only possible explanation for such harsh sentences was that they were being punished for their political beliefs.

77. The prisoners had been subjected to physical and psychological torture and Alberto Torres had been denied permission to attend his father's funeral, despite official petitions from the Government of Puerto Rico. López Rivera had recently been subjected to sleep deprivation by prison guards who for no reason tapped on the cell window whenever he began to fall asleep.

78. No matter what mechanism was decided on for achieving a political solution to Puerto Rico's colonial status, the United States would have to release all political prisoners. That was a requirement under international law in order for the decolonization process to be deemed genuine. Moreover, given the significant Puerto Rican and Hispanic presence in the United States, it would be in the interest of the United States Government to do so prior to the next presidential elections. Besides, the incarceration of the political prisoners on trumped-up charges and for disproportionately long terms undermined United States human rights policies throughout the world.

79. Lastly, he called on the Committee to make a formal request to the General Assembly and United States President for the immediate release of Puerto Rican political prisoners so that the process of decolonization in Puerto Rico could be achieved in accordance with international law and General Assembly resolution 1514 (XV).

80. **The Chairman** asked the petitioner whether the cases he had cited had been brought before the Commission on Human Rights.

81. **Mr. Villanueva Muñoz** (Comité de Derechos Humanos de Puerto Rico) said that the mistreatment of Oscar López Rivera was a recent development and therefore the case had not been brought before the Commission. He had, however, raised the issue of human rights violations four years earlier in the Organization of American States, but had received no response.

82. *Mr. Villanueva Muñoz withdrew.*

83. *At the invitation of the Chairman, Mr. Canals (Gran Oriente Nacional de Puerto Rico) took a place at the petitioners' table.*

84. **Mr. Canals** (Gran Oriente Nacional de Puerto Rico) said that the Gran Oriente Nacional was a non-partisan, Masonic organization committed to the defence of human rights and the self-determination and independence of Puerto Rico. Many Puerto Ricans had committed their lives to the struggle for human rights and national sovereignty; some of them had been killed while others had been imprisoned or forced to flee the country to escape repression. He called for the Committee's support for efforts to secure the release of the political prisoners Carlos Alberto Torres, Haydee Beltrán and Oscar López Rivera and the return of all activists involved in the campaign for independence.

85. Support was also needed to clean up the lands contaminated by the United States armed forces on Vieques and return them to their legitimate owners. He reaffirmed his organization's opposition to the death penalty, which had been abolished in Puerto Rico in 1929 and was prohibited by the 1952 Constitution, and called again for the issue of Puerto Rican independence to be brought before the General Assembly.

86. The United States must also recognize the right of the Puerto Rican people to exercise its sovereignty and negotiate with its representatives to achieve decolonization. Such a process could be initiated in Puerto Rico by a constituent assembly. Genuine decolonization required above all, however, the initiative of the Puerto Rican people.

87. *Mr. Canals withdrew.*

88. *At the invitation of the Chairman, Ms. Grady Flores (Ithaca Catholic Worker Vieques Support Group) took a place at the petitioners' table.*

89. **Ms. Grady Flores** (Ithaca Catholic Worker Vieques Support Group) reported that her Group continued to increase public awareness about the Puerto Rican struggle for liberation and the four demands of the people of Vieques, namely: demilitarization, decontamination, devolution and development. She had learnt that the nuclear power industry sent its spent uranium to the military to be manufactured into weaponry. Depleted uranium left radioactive poison dust which was easily inhaled or ingested and which caused many illnesses and genetic deformities. The military had known for many years that depleted uranium caused heavy metal toxicity to the body, harmed genetic DNA and caused cell mutations resulting in cancer and other disorders as well as birth defects in future generations. Use of depleted uranium weapons was weakening the human species because of the exposure to low-level radiation and resulting lowering of immune systems. The United Nations Subcommission on Human Rights had condemned such weapons as weapons of mass destruction.

90. With regard to Vieques, the United States Navy had admitted firing 263 rounds of depleted uranium shells in 1999. Radioactive hot spots where readings ranged from 70 to 200 times above background levels had been found in the Navy bomb firing range. According to the Pentagon's own rules, the military was not allowed to practise with depleted uranium. The 9,500 residents of Vieques lived downwind of the bombing range where the United States Navy continued to explode ordnance. Those explosions redistributed depleted uranium dust and other contaminants which were then carried downwind. According to the latest health study conducted in October 2004, the cancer rate in Vieques was 80 per cent higher than on the mainland of Puerto Rico. There were no hospitals in Puerto Rico to test properly for the presence of depleted uranium. Nor were there any birth records to keep track of birth defects. The decision of the United States military to use depleted uranium demonstrated a blatant disregard for human life and provided yet another example of the unnecessary suffering deliberately inflicted under United States colonization. She urged the Committee to consider the evidence and recognize the need for Puerto Ricans to secure their self-determination and liberty.

91. *Ms. Grady Flores withdrew.*

92. *At the invitation of the Chairman, Mr. Aponte Hernández (Speaker of the House of Representatives of Puerto Rico) took a seat at the petitioners' table.*

93. **Mr. Aponte Hernández** (Speaker of the House of Representatives of Puerto Rico) said that his purpose was twofold: to report on recent efforts to resolve the problem of Puerto Rico's political status and to add to the materials to be assembled by the Committee so as to ensure fuller understanding of the problem afflicting Puerto Rican society and what was needed in order to reach a just solution.

94. On 2 January 2005, following the elections of 2004, a new Governor had been installed who had promised to promote association with the United States "without a shadow of any colonialist element". However, since 61 per cent of the members of the new Legislative Assembly sworn in that same day favoured permanent union with the United States, immediate steps were taken to enable the people to start a genuine process of self-determination.

95. The three parties — those in favour of statehood and making Puerto Rico the fifty-first state, those in favour of free association with the United States and those in favour of independence — had engaged in discussions and negotiations and produced a draft consensus document in which each party made concessions for the sake of furthering decolonization. The consensus called for a referendum to be conducted in July 2005 on the demand that the United States Congress and President undertake, by 31 December 2006, to respond to the call of the Puerto Rican people for a resolution of the political status issue on the basis of fully democratic, non-colonial and non-territorial options. However, even as the legislative bodies were committing themselves unanimously to resolving the long-standing problem of political status, the Governor had reneged on his earlier promise. The Legislative Assembly responded by calling on the United States Congress and President to provide the people of Puerto Rico with an electoral means for choosing their relationship with the United States on the basis of the aforesaid options and adopting a concurrent resolution to that effect, to ensure that the forces of inertia that continued to exist did not try to quiet the demand by the overwhelming majority of Puerto Ricans who wanted to resolve the problem. He was submitting copies of that resolution and of the consensus to the Committee.

96. Promising developments were also taking place in Washington where the President's task force on Puerto Rico's status, established pursuant to Executive Order 13183, was working on the basis of parameters that were entirely consonant with international law as regards the goal of a genuine process of self-determination and decolonization. In other words there was no possibility of any attempt being made to perpetuate the status quo, since no one wanted that. He was confident that the results of these efforts would be different from those of previous efforts.

97. For more than 40 years, over 95 per cent of Puerto Ricans had favoured options that sought to guarantee permanent union with the United States and the irrevocability of United States citizenship for present and future generations. In his view, the only way to ensure that, was by having Puerto Rico integrated into the Union as the fifty-first state. However, that was a matter for the federal government to determine. That being so, he pointed out, with all due respect, that the Committee was mistaken in focusing only on resolution 1514 (XV) as a parameter for the process of self-determination in the case of Puerto Rico. Without seeking to deny the right of Puerto Ricans to opt for independence, should they so choose, no one but the United States could deny them — by stating explicitly that it was not prepared to offer such options — the options of integration and free association.

98. The Committee might find it useful to pay greater attention to the process which had culminated in the adoption of General Assembly resolution 748 (VIII), whereby the role of the United Nations in seeing to the decolonization of Puerto Rico had been limited. Irrespective of the General Assembly's intentions in adopting resolution 748 (VIII), or of what had really happened in Puerto Rico between 1950 and 1952, the advent of a constitutional regime had not altered the relationship between the United States and Puerto Rico; thus, the principle of government by consent of the people had been implemented in Puerto Rico only in local matters not subject to federal law. Puerto Rico did not enjoy full and complete democracy for it did not participate in many federal processes that affected people's daily lives.

99. Although frustrated at the failure of previous congressional processes to define acceptable status options, the majority of the Puerto Rican people were proud of their United States citizenship. The Committee should follow up and endorse the federal government's efforts to help Puerto Rico exercise the right to self-determination. For his part, he would do his utmost to place his people on the just path towards

self-determination while fighting to ensure that its ties with the great American nation remained unbroken.

100. *Mr. Aponte Hernández withdrew.*

101. *At the invitation of the Chairman, Ms. Reveron Collazo (Comité Puerto Rico en la ONU) took a place at the petitioners' table.*

102. **Ms. Reveron Collazo** (Comité Puerto Rico en la ONU) noting that the issue of Puerto Rico's political status had been on the Committee's agenda for the past 25 years, said that it was time to let the Puerto Rican people decide their own future for themselves. Any initiative to resolve the island's status must come from the people. The Committee should not rest until Puerto Rico achieved its natural destiny of independence.

The meeting rose at 1 p.m.